

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

DONALD C. HUTCHINS,

Plaintiff,

Civil Action No. 04-30126-MAP

v.

CARDIAC SCIENCE, INC., ET AL.

Defendants.

**DEFENDANT CARDIAC SCIENCE'S MOTION TO STRIKE PLAINTIFF'S
MOTION FOR SANCTIONS PURSUANT TO LOCAL RULE 1.3**

COMES NOW Defendant Cardiac Science, Inc., hereby moving the Court to strike Plaintiff's Motion For Sanctions (Docket No. 191). In accordance with the Order of December 29, 2005, Plaintiff must be given leave of court to file any motions directed toward Cardiac Science. Plaintiff has not been granted leave to file the present motion and thus Cardiac Science asks the Court to strike Plaintiff's Motion For Sanctions (Docket No. 191).

Respectfully submitted,

**PATTERSON, THUENTE,
SKAAR & CHRISTENSEN, P.A.**

Dated: August 17, 2006

By:

s/ Randall T. Skaar

Randall T. Skaar (#165,013)

Scott G. Ulbrich (#305,947)

4800 IDS Center

80 South Eighth Street

Minneapolis, Minnesota 55402-2100

Tel: (612) 349-5740

Fax: (612) 349-9266

and

Paul H. Rothschild
BACON & WILSON P.C.
33 State Street
Springfield, Massachusetts 01103
Phone: (413) 781-0560
Fax: (413) 739-7740
ATTORNEYS FOR CARDIAC SCIENCE, INC.

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 17, 2006.

Electronically

Mr. Paul H. Rothschild
Bacon & Wilson, P.C.
33 State Street
Springfield, MA 01103
prothschild@bacon-wilson.com

John J. Egan
Egan, Flanagan and Cohen, P.C.
67 Market Street
P.O. Box 9035
Springfield, MA 01102-9035
jjegan@eganflanagan.com

Via U.S. Mail

Ms. Colleen M. O'Neil
Calfee, Halter & Griswold, LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, OH 44114-2688

Mr. Donald Hutchins
1047 Longmeadow Street
Longmeadow, MA 01106-2201

s/ Randall T. Skaar
Randall T. Skaar